

Application No.: 10/728,942
Attorney Docket No. 08981.0003-00000

REMARKS

Applicants respectfully request that this Amendment be considered by the Examiner and entered. This Amendment is needed for proper protection of the invention and requires no substantial amount of additional work on the part of the Office. Applicants' representative, the undersigned, spoke with the Examiner on June 12, 2006, regarding entry of an amendment under 37 C.F.R. § 1.312 and the impending deadline to pay the issue and publication fees, i.e., June 14, 2006, and the Examiner suggested fax-filing any such amendment. Thus, the Amendment has been fax-filed.

Claims 1, 48, 49, 52-69, 74-80, 84-92, 96-101, 113-126, 129, 130, 132, 134, and 135 have been allowed. Claim 137 has been added herein.

The new claim, claim 137, was not presented earlier because the scope of the non-elected subject matter and the scope of the allowed genus of compounds have been at issue until the mailing of the Notice of Allowability. The compounds in claim 137 all fall within the genus of claim 1, which is patentable, and therefore are patentable as well. Thus, no additional search or examination is necessary.

Support for the compounds listed in new claim 137 can be found in at least paragraph [0079] and the Examples as follows:

Example No.	Compound
47	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-cyclohexyloxycarbonyloxyethyl ester
47	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)-cyclohexyloxycarbonyloxyethyl ester

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Example No.	Compound
2	(S)-3-(3,4-Dihydroxyphenyl)-2-hydrazino-2-methyl-propionic acid acetoxymethyl ester
8	(S)-3-(3,4-Dihydroxy-phenyl)-2-hydrazino-2-methyl-propionic acid 2,2-dimethyl-propionyloxymethyl ester
3	(S)-3-(3,4-Bis-ethoxycarbonyloxy-phenyl)-2-hydrazino-2-methyl-propionic acid 2,2-dimethyl-propionyloxymethyl ester
15	(S)-3-(3,4-Dihydroxy-phenyl)-2-hydrazino-2-methyl-propionic acid 3-oxo-1,3-dihydro-isobenzofuran-1-yl ester
27	(S)-3-(3,4-Bis-isobutyryloxy)phenyl-2-hydrazino-2-methylpropionic acid acetoxymethyl ester
28	(S)-3-(3,4-Bis-isobutyryloxy)phenyl-2-hydrazino-2-methylpropionic acid 2,2-dimethyl-propionyloxymethyl ester
29	(S)-3-(3,4-Bis-propionyloxy)phenyl-2-hydrazino-2-methylpropionic acid acetoxymethyl ester
30	(S)-3-[3,4-Bis-(2,2-dimethylpropionyloxy)phenyl]-2-hydrazino-2-methylpropionic acid acetoxymethyl ester
31	(S)-3-[3,4-Bis-(2,2-dimethylpropionyloxy)phenyl]-2-hydrazino-2-methylpropionic acid 2,2-dimethyl-propionyloxymethyl ester
32	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-isobutyryloxy-2-methylpropyl ester
32	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)-isobutyryloxy-2-methylpropyl ester

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Example No.	Compound
33	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-acetoxymethyl ester
33	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)-acetoxymethyl ester
34	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid 1(R)-isobutyryloxymethyl ester
34	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid 1(S)-isobutyryloxymethyl ester
35	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid isobutyryloxymethyl ester
36	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid 2-methylbenzoyloxymethyl ester
37	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid 2,6-dimethylbenzoyloxymethyl ester
38	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid ethoxycarbonyloxymethyl ester
39	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid ethoxycarbonyloxymethyl ester
40	(S)-3-(3,4-Diacetoxy)phenyl-2-hydrazino-2-methylpropionic acid ethoxycarbonyloxymethyl ester
41	(S)-3-(3,4-Bis-isobutyryloxy)phenyl-2-hydrazino-2-methylpropionic acid ethoxycarbonyloxymethyl ester

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Example No.	Compound
42	(S)-3-(3,4-Bis-isobutyryloxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-ethoxycarbonyloxyethyl ester
42	(S)-3-(3,4-Bis-isobutyryloxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)-ethoxycarbonyloxyethyl ester
43	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-ethoxycarbonyloxyethyl ester
43	(S)-3-(3,4-Bis-ethoxycarbonyloxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)-ethoxycarbonyloxyethyl ester
44	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-ethoxycarbonyloxyethyl ester
44	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)-ethoxycarbonyloxyethyl ester
45	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-isopropoxycarbonyloxyethyl ester
45	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)-isopropoxycarbonyloxyethyl ester
46	(S)-3-(3,4-Bis-isobutyryloxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-isopropoxycarbonyloxyethyl ester
46	(S)-3-(3,4-Bis-isobutyryloxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)-isopropoxycarbonyloxyethyl ester
49	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid (1R)-{[(1,3,3-trimethyl-bicyclo[2.2.1]hept-2-yloxy)carbonyl]oxy}ethyl ester

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Example No.	Compound
49	(S)-3-(3,4-Dihydroxy)phenyl-2-hydrazino-2-methylpropionic acid (1S)- {[(1,3,3-trimethyl-bicyclo[2.2.1]hept-2-yloxy)carbonyl]oxy}ethyl ester

Accordingly, the addition of claim 137 adds no new matter.

For all of the above reasons, entry of claim 137 is earnestly solicited. The Examiner is invited to contact the undersigned if it is believed that prosecution of this application may be assisted thereby.

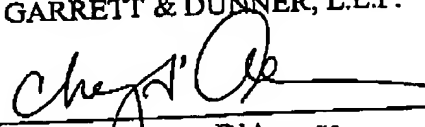
If there is any fee due in connection with the filing of this Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: June 14, 2006

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